



## Weber County Community & Economic Development Department

Date: October 17, 2017

To: Weber County Board of County Commissioners

From: Sean Wilkinson, AICP *SW*  
Department Director, Community & Economic Development

Agenda Date: October 24, 2017

Subject: **Request for Approval to Sell Surplus Real Property (Parcel Number 09-038-0015)**

Documents:

- Aerial Image of Property (Exhibit A)
- Plat Map of Property (Exhibit B)
- Tax Deed (Exhibit C)
- Purchase and Sale Agreement (Exhibit D)
- Quit-claim Deed (Exhibit E)

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### Summary:

This parcel (09-038-0015) was obtained by Weber County in the 1993 Tax Sale. It is a strip of land 18.75 feet wide and 165 feet long. Jed Christensen, an abutting property owner, recently approached the County about purchasing this parcel. Weber County has no intended use for this property and the County Commission declared this parcel surplus to the County's needs on October 10, 2017. The legal description has been reviewed and approved by the County Surveyor's Office. The purchase price is \$1,065, which is the property value determined by the County Assessor's Office. All requirements of Weber County Code Article X. (Disposal of Surplus Property) §2-9-371 have been met.

### Property Description:

#### 09-038-0015

PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 30 FEET WEST 385 FEET NORTH 281.25 FEET WEST; AND 275 FEET NORTH OF THE SOUTHEAST CORNER OF THE WEST 1/2 OF SAID QUARTER SECTION, RUNNING THENCE WEST 18.75 FEET; THENCE SOUTH 165 FEET; THENCE EAST 18.75 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

### Recommendation:

Sell Parcel 09-038-0015 to Jed Christensen for \$1,065.

### Fiscal Impact:

Weber County will recover the taxes owed from 1988-1992 (\$579.08) and the administrative costs of selling the property (\$500). The parcel will also be placed back on the County property tax rolls for future years.



Exhibit A





ROSE LANE A P.R.U.D.

2150 W. (PRIVATE STREET)

SEE PAGE 315

18.75'

SEE 091820004

© SOUTH 165'

2150

ROSEWOOD EST NO.2  
SEE PAGE 182

Ⓐ

Ⓑ

233'

26'

ROSEWOOD MANOR  
SEE PAGE 203

ROSEWOOD MANOR NO.2  
SEE PAGE 218

ROSEWOOD MANOR CONDOMINIUM  
HOMEOWNERS ASSOCIATION

MERRILL, KAREN H

2143 W 5500 S  
ROY UT

84067

SERIAL NUMBER 09-038-0015

PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH,  
RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY,  
BEGINNING AT A POINT 30 FEET WEST 385 FEET NORTH 281.25 FEET  
WEST; AND 275 FEET NORTH OF THE SOUTHEAST CORNER OF THE WEST  
1/2 OF SAID QUARTER SECTION, RUNNING THENCE WEST 18.75 FEET;  
THENCE SOUTH 165 FEET; THENCE EAST 18.75 FEET; THENCE NORTH  
165 FEET TO THE PLACE OF BEGINNING.

88	GENERAL TAX CHARGE	75.89		
	PENALTY CHARGE DUE	19.00		
	INTEREST	47.16	88 TOTAL	132.85
89	GENERAL TAX CHARGE	75.56		
	PENALTY CHARGE DUE	19.00		
	INTEREST	37.85	89 TOTAL	123.41
90	GENERAL TAX CHARGE	76.98		
	PENALTY CHARGE DUE	19.00		
	INTEREST	26.13	90 TOTAL	113.11
91	GENERAL TAX CHARGE	83.02		
	PENALTY CHARGE DUE	19.00		
	INTEREST	12.40	91 TOTAL	105.42
92	GENERAL TAX CHARGE	90.66		
	PENALTY CHARGE DUE	19.00		
	INTEREST	3.65	92 TOTAL	104.29
	GRAND TOTAL			579.08

EH 1230442 BR1667 780800  
DOUG CROFTS, WEBER COUNTY RECORDER  
10-JUN-93 357 PM FEE \$0.00 DEP LF  
REC FOR: WEBER COUNTY

PLATTED  
ENTERED

THE FEE SIMPLE TITLE TO THE PROPERTY  
DESCRIBED IN THIS ENTRY WAS ON THE  
DAY OF MAY 27, 1993, SOLD AND CONVEYED  
TO THE COUNTY OF WEBER IN PAYMENT OF  
THE GENERAL TAXES CHARGED AGAINST THE  
SAME IN THE AMOUNT OF: \$ 579.08

GREG W. HAWES  
WEBER COUNTY AUDITOR/CLERK/TREASURER



## Exhibit D

### **REAL ESTATE PURCHASE AND SALE AGREEMENT BY AND BETWEEN WEBER COUNTY AND JED CHRISTENSEN**

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the 24<sup>th</sup> day of October, 2017, by and between Weber County, a body politic, corporate and political subdivision of the State of Utah (hereinafter "County") and Jed Christensen, with his principal address located at 5509 South 2150 West Roy, UT 84067 (hereinafter "Buyer").

#### **RECITALS**

**WHEREAS**, according to the official records of the Recorder of Weber County, State of Utah, County owns certain real property more fully described in this Agreement; and

**WHEREAS**, County declared such property as surplus to its needs on October 10, 2017; and

**WHEREAS**, Buyer owns property adjacent to Parcel 09-038-0015 and approached County about purchasing the property; and

**WHEREAS**, Buyer desires to purchase such property on the terms and conditions more particularly set forth herein;

**NOW, THEREFORE**, it is hereby acknowledged and agreed by and between the parties hereto as follows:

#### **SECTION ONE DESCRIPTION OF PROPERTY**

The real property which is the subject of this agreement is described as follows:

Land serial number: 09-038-0015

PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 30 FEET WEST 385 FEET NORTH 281.25 FEET WEST; AND 275 FEET NORTH OF THE SOUTHEAST CORNER OF THE WEST 1/2 OF SAID QUARTER SECTION, RUNNING THENCE WEST 18.75 FEET; THENCE SOUTH 165 FEET; THENCE EAST 18.75 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

#### **SECTION TWO PURCHASE PRICE AND TERMS**

The purchase price for the above described property is one thousand sixty-five dollars (\$1,065). The County shall convey the real property to Buyer by Quit Claim Deed upon receipt of the full purchase price.

**SECTION THREE  
INDEMNIFICATION**

Buyer agrees to defend, indemnify and hold harmless County, its officers, agents and employees for and against any claims or suits that arise as a result of this purchase and sale transaction.

**SECTION FOUR  
NO WARRANTIES**

The County does not warrant or guarantee that the property is free from easements, covenants, mortgages, liens, or other encumbrances, nor does the County make any other covenants or warranties concerning the property.

**SECTION FIVE  
GOVERNING LAW**

The laws of the State of Utah shall govern the validity, construction, enforcement, and interpretation of this Agreement.

**SECTION SIX  
ENTIRE AGREEMENT**

This Agreement constitutes the entire Agreement by and between the parties hereto with respect to the subject matter hereof, and no other statement, whether written or oral, shall be deemed a part of this Agreement unless specifically incorporated herein by reference. This Agreement supersedes any and all other agreements, negotiations, or understandings between the parties.

**IN WITNESS WHEREOF** the undersigned have affixed their respective signatures hereto on the dates indicated below.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

By \_\_\_\_\_  
James Ebert, Chair

Commissioner Ebert voted \_\_\_\_\_  
Commissioner Gibson voted \_\_\_\_\_  
Commissioner Harvey voted \_\_\_\_\_

ATTEST:

Date:

\_\_\_\_\_  
Ricky D. Hatch, CPA  
Weber County Clerk/Auditor

\_\_\_\_\_  
BUYER: Jed Christensen

Subscribed and sworn to before me, \_\_\_\_\_,  
this \_\_\_\_ day of October, 2017.

\_\_\_\_\_  
Notary Public

## Exhibit E

RECORDED AT THE REQUEST OF  
AND WHEN RECORDED MAIL TO:

Jed Christensen  
5509 South 2150 West  
Roy, UT 84067

MAIL TAX NOTICE TO:

Jed Christensen  
5509 South 2150 West  
Roy, UT 84067

### QUIT CLAIM DEED

Weber County Corporation, Grantor, of 2380 Washington Blvd., Ogden, UT 84401, hereby quit claims to Jed Christensen, Grantee, at 5509 South 2150 West Roy, UT 84067, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tract of land in Weber County, Utah, to wit:

The real property which is described as follows:

Land serial number: 09-038-0015

PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 30 FEET WEST 385 FEET NORTH 281.25 FEET WEST; AND 275 FEET NORTH OF THE SOUTHEAST CORNER OF THE WEST 1/2 OF SAID QUARTER SECTION, RUNNING THENCE WEST 18.75 FEET; THENCE SOUTH 165 FEET; THENCE EAST 18.75 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

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James Ebert, Chair

I hereby certify that the sale and transfer of the property described herein was duly approved at a regularly scheduled meeting of the Board of County Commissioners on the 24<sup>th</sup> day of October 2017.

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor